

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



December 21, 2001

Regulation Packages 0600-14

CDSS MANUAL LETTER NO. CCL-01-11

TO: HOLDERS OF THE COMMUNITY CARE LICENSING MANUAL, TITLE 22, DIVISION 6,  
CHAPTER 8, RESIDENTIAL CARE FACILITIES FOR THE CHRONICALLY ILL

**Regulation Package #0600-14****Effective 6/29/01****Section 87834**

Assembly Bill (AB) 396, Chapter 709, Statutes of 1992 enacted a new fee structure for community care facilities. It replaced renewal fees with annual fees. As a result, licenses issued by the Department no longer have an expiration date, they are perpetual. Renewal licenses are no longer necessary and are not issued. These proposed amendments repeal distinctions made between "initial" and "renewal" licenses; references to terms of licensure, to renewal applications, renewal fees, and renewal licenses; and replace references to "renewal" with "annual" when appropriate. Specifically, the regulations make nonsubstantive revisions to current regulations by amendment, repeal, or by making other minor revisions relating to the renewal process, and by replacing the term "renewal" with "annual" as appropriate. Various sections have also been renumbered for consistency.

Since these regulations were nonsubstantive they did not require a public hearing.

**FILING INSTRUCTIONS**

**Revisions to all manuals are shown in graphic screen.** The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing Community Care Licensing changes was Manual Letter No. CCL-01-10. The latest prior manual letter containing Residential Care Facilities for the Chronically Ill changes was Manual Letter No. CCL-01-10.

Page(s)Replace(s)

52

Page 52

Attachment

SM

<b>87834</b>	<b>SUBMISSION OF NEW APPLICATION</b>	<b>87834</b>
--------------	--------------------------------------	--------------

- (a) A licensee shall file a new application as required by Section 87818 whenever there is a change in conditions or limitations described on the current license, including, but not limited to, the following:
- (1) Any change in the location of the facility.
    - (A) Under these circumstances, the licensee shall be required to pay the reduced fee as specified in Section 87836 (c).
  - (2) Any change of licensee, including, but not limited to, the following when the licensee is a corporation.
    - (A) Sale or transfer of the majority of stock.
    - (B) Separating from a parent company.
    - (C) Merger with another company.
  - (3) Any change in facility category.
  - (4) Any increase in capacity.
    - (A) The Department shall have the authority to grant capacity increases without resubmission of a total application package, following a Department review and the securing of an appropriate fire clearance.
    - (B) The applicant shall pay the reduced fee as specified in Section 87836 (c).
  - (5) A permanent change in the number of nonambulatory residents.
- (b) A new application Form LIC 200 as required by Section 87818 shall be filed whenever an applicant fails to submit the information necessary to complete the application within the time limit required by Section 87827 (a) if the applicant chooses to continue the application process.

<b>87834</b>	<b>SUBMISSION OF NEW APPLICATION (Continued)</b>	<b>87834</b>
--------------	--	--------------

- (c) The Department shall not require the completion of the entire application process when a licensee applies for a new license due to a change in the facility location as specified in Section 87818(f).

NOTE: Authority cited: Section 1568.072, Health and Safety Code. Reference: Sections 1568.061 and 1568.072, Health and Safety Code.

<b>87835</b>	<b>CONDITIONS FOR FORFEITURE OF A RESIDENTIAL CARE FACILITY FOR THE CHRONICALLY ILL LICENSE</b>	<b>87835</b>
--------------	---	--------------

- (a) The facility license shall be forfeited when the licensee:
- (1) Sells or otherwise transfers the facility or facility property, except when change of ownership applies to transferring of stock when the facility is owned by a corporation, and when such transfer of stock does not constitute a majority change of ownership.
  - (2) Surrenders the license to the department.
  - (3) Moves a facility from one location to another.
  - (4) Is convicted of any crime specified in Sections 220, 243.4 or 264.1, or paragraph (1) of Section 273a, Section 273d, 288, or 289 of the Penal Code, or is convicted of another crime specified in subdivision (c) of Section 667.5 of the Penal Code.
  - (5) Dies.
- (b) If the facility licensee dies, an adult relative who has control of the property shall be permitted to operate a previously licensed facility under an Emergency Approval to Operate (LIC 9117 4/93) (EAO) providing the following conditions are met:
- (1) The relative or an adult acting on the relative's behalf notifies the Department by telephone during the first working day after the licensee's death that the relative intends to operate the community care facility.